

REMARKS

Careful consideration has been given to the Official Action of August 17, 2004 and in particular to the restriction requirement newly set forth therein.

The Examiner has withdrawn the previous election requirement in favor of a new restriction requirement. In response to the restriction requirement applicant elects the invention designated by Group I inclusive of claims 1-17, 19-20, 37-51 and 56 drawn to an implant.

Applicant reserves the right to file a divisional application to the non-elected claims of Group II.

However, claims 57-60 have been added to the application. These are method claims which are dependent from claim 37 drawn to an implant. As such, these claims are linking claims between the implant and the method and should be grouped with the elected invention of Group I. Upon allowance of a linking claim, claims to the claims in Group II then become examinable and allowable in this application. There is a clear linking of the inventions to the implant and the method as expressed in the application and as now set forth in the linking claims.

Therefore, examination of the claims to the elected invention of the

implant and to the linking claims of the implant and the method is requested and ultimately upon allowance of a linking claim, examination and allowance of the method claims.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'JH Cohen', is written over a horizontal line.

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